REMARKS

In the Office Action mailed March 17, 2009 the Office noted that claims 1-9, 11-21, 23-30, 32, 33, 35-40 were pending and rejected claims 1-9, 11-21, 23-30, 32, 33, 35-40. Claims 1, 17 and 26 have been amended, no claims have been canceled, and, thus, in view of the foregoing claims 1-9, 11-21, 23-30, 32, 33, 35-40 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

EXAMINER INTERVIEW

The undersigned wishes to thank the Examiner for interviewing this matter on June 9, 2009.

REJECTIONS under 35 U.S.C. § 112

Claim 17-25 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. In particular, the Office asserts that the term that is unclear whether the program is executing or the microprocessor. The Applicants have amended claim 17 to overcome the rejection.

Withdrawal of the rejection is respectfully requested.

REJECTIONS under 35 U.S.C. § 102

Claims 1-9, 11-21, 23-30, 32, 33 and 35-40 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Naccache, U.S. Patent No. 7,168,065. The Applicants respectfully disagree and traverse the rejection with an argument and amendment.

Naccache discusses a system wherein the execution of a set of instructions is made secure by computing a signature during the execution of these instructions and by comparing the obtained signature with a predetermined signature. To that end, the set of instructions comprises a first instruction for initializing the calculation of the signature and a last instruction for comparing the obtained signature with the predetermined signature. The way according to which the signature is calculated is predetermined. In other words, the microcontroller that executes the set of instructions comprises a dedicated function for computing a signature according to an initialization value and the executed instructions.

This is different than the claimed invention wherein the way the signature is calculated is determined according to instructions of the set of instructions. To that end, the set of instructions comprises at least one instruction for initializing the calculation of the signature (e.g. A1, B3, C3, and D1 of the examples given in Annex), at least one instruction for controlling the calculation of the second signature (e.g. A2 and

A12, B7, C7 and C8, and D11), and at least one instruction for comparing the obtained signature with a predetermined signature (e.g. A13, B8, C9 and C10, and D12).

The Applicants have amended claim 1 consistent with the argument above to recite in part "wherein said set of instructions comprises at least one instruction *for initializing the calculation of the second signature and at least one instruction for controlling the calculation of the second signature.*" (Emphasis added) Support for the amendment may be found, for example, in the Appendix of the Specification. The Applicants submit that no new matter is believed to have been added by the amendment of claim 1. Claims 17 and 26 have likewise been amended.

Thus, in the present claims the way the second signature is calculated is different than the predetermined signature of Naccache.

For at least the reasons discussed above, claims 1, 17 and 26, and the claims dependent therefrom are not anticipated by Naccache.

Withdrawal of the rejection is respectfully requested.

<u>SUMMARY</u>

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 101, 112 and 102. It is also submitted that claims 1-9, 11-21, 23-30, 32, 33, 35-40 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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